

# SUMMARY OF TOWN COUNCIL ACTIONS

## JULY 13, 2010

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### PRESENTATIONS

**Yard of the Month.**

**DONE**  
see below

Recipient:

- Rex Metcalfe, 811 Monroe Street, Herndon

### ORDER OF THE AGENDA

With the Council's concurrence, Mayor DeBenedittis asked that the Council delay the first presentation to allow additional time for Doug Farley to arrive.

### PRESENTATIONS

**Certificate of Appreciation to Kenneth L. Randles,  
Department of Public Works.**

**DONE**

**Certificates of Responsible Citizenship to Sameer G.  
Mughal, Jenny Gomez & Kenneth Coffin.**

**DONE**

**10-G-87 Resolution, Recognition, 27<sup>th</sup> Annual "NATIONAL  
NIGHT OUT: AMERICA'S NIGHT OUT AGAINST  
CRIME," August 3, 2010.**

**APPROVED**  
as presented

Motion: Tirrell                      Yes: Hutchinson, Merkel, Olem, Singh,  
Second: Merkel                      Tirrell, Wolf, Mayor DeBenedittis  
Vote: 7-0

**10-G-88 Resolution, Recognition, "NATIONAL PARKS &  
RECREATION MONTH," July 2010.**

**APPROVED**  
as presented

Motion: Merkel                      Yes: Hutchinson, Merkel, Olem, Singh,  
Second: Wolf                      Tirrell, Wolf, Mayor DeBenedittis  
Vote: 7-0

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**Certificate of Appreciation to Doug Farley, Department  
of Public Works.**

**DONE**  
see below

- The Director of Public Works provided background on Doug Farley's service with the Town. Since he was unable to attend the presentation, he stated he would present the certificate to Mr. Farley along with the Council's congratulations on the occasion of his retirement.

**PUBLIC HEARINGS**

**10-G-80      Resolution, Application for Waiver, Requirement to  
Underground Existing Overhead Utilities, Monroe Hill,  
Town Plan #04-34.**

**APPROVED**  
as presented

(This public hearing was continued from June 8, 2010.)

Motion:	Hutchinson	Yes:	Hutchinson, Merkel, Olem, Tirrell,
Second:	Wolf		Wolf, Mayor DeBenedittis
Vote:	6-1	No:	Singh

**10-G-81      Resolution, Application for Waiver, Requirement to  
Underground Existing Overhead Utilities, Lomax &  
Wamsley Division of Land, Town Plan #06-33.**

**APPROVED**  
as presented

(This public hearing was continued from June 8, 2010.)

Motion:	Hutchinson	Yes:	Hutchinson, Merkel, Olem, Singh,
Second:	Wolf		Tirrell, Wolf, Mayor DeBenedittis
Vote:	7-0		

**10-O-24      Ordinance, Lease Agreement b/n the Town & the Dulles  
Regional Chamber of Commerce for Space  
at Town Hall.**

**APPROVED**  
as presented

Motion:	Wolf	Yes:	Hutchinson, Merkel, Olem, Singh,
Second:	Olem		Tirrell, Wolf, Mayor DeBenedittis
Vote:	7-0		

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**10-O-25A      Ordinance, Declaring the Land at 403 Van Buren Street  
a Public Nuisance & Ordering its Abatement.      APPROVED  
as presented**

Motion:      Tirrell      Yes:      Merkel, Olem, Singh, Tirrell,  
Second:      Merkel           Wolf, Mayor DeBenedittis  
Vote:      6-1      No:      Hutchinson

**10-G-89      Resolution, Authorizing the Reserve of FY 2010  
Funding for Capital, On-going & New or Expanded  
Projects & for Outstanding Encumbrances at  
June 30, 2010.      APPROVED  
as presented**

Motion:      Wolf      Yes:      Hutchinson, Merkel, Olem, Singh,  
Second:      Hutchinson           Tirrell, Wolf, Mayor DeBenedittis  
Vote:      7-0

**10-O-26A      Ordinance, Amending the FY 2011 Adopted Budget  
by Amending the General Fund, Water & Sewer Fund,  
Cemetery Fund, Golf Course Fund, Downtown Parking  
Enterprise Fund, Capital Projects Fund & Information  
Systems Improvement Fund.      APPROVED  
as presented**

Motion:      Tirrell      Yes:      Hutchinson, Merkel, Olem, Singh,  
Second:      Hutchinson           Tirrell, Wolf, Mayor DeBenedittis  
Vote:      7-0

**GENERAL**

**10-G-90      Resolution, Approving a Legal Services Retention  
Contract Extension w/ Smith & Davenport as a  
Backup Legal Resource.      APPROVED  
as presented**

Motion:      Tirrell      Yes:      Hutchinson, Merkel, Olem, Singh,  
Second:      Merkel           Tirrell, Wolf, Mayor DeBenedittis  
Vote:      7-0

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**10-G-91      Resolution, a Civil Action for Injunction Against  
Paul Zeigler & His Real Estate at 601 Nash Street  
to Abate Building Code Violations.      DEFERRED  
until 12/14/10  
see below**

- Following a commitment by the landowner on the record to abate the violations, deferred action on Resolution 10-G-91 until December 14, 2010; and
- Requested the Building Official to continue to monitor the property and to keep the Town Manager apprised of the status of the violations.

Motion:      Hutchinson      Yes:      Hutchinson, Merkel, Olem, Singh,  
Second:      Merkel      Wolf, Mayor DeBenedittis  
Vote:      6-1      No:      Tirrell

**10-G-92      Resolution, Initiating Zoning Ordinance Text  
Amendment #ZOTA 10-05, Revised Flood Plain  
Ordinance.      APPROVED  
as presented**

Motion:      Hutchinson      Yes:      Hutchinson, Merkel, Olem, Singh,  
Second:      Tirrell      Tirrell, Wolf, Mayor DeBenedittis  
Vote:      7-0

**10-G-93      Resolution, Award of Contract #B-10-05, Herndon  
Centennial Golf Course Phase II-A Improvements.      APPROVED  
as presented**

Motion:      Wolf      Yes:      Hutchinson, Merkel, Olem, Singh,  
Second:      Tirrell      Tirrell, Wolf, Mayor DeBenedittis  
Vote:      7-0

## GENERAL/APPOINTMENTS

**10-G-94      Resolution, Reappointment/Appointment of Members  
to the Herndon Planning Commission.      REAPPOINTMENT/  
APPOINTMENT  
see below**

- Reappointed Paul C. LeReche for a four-year term ending July 31, 2014; and
- Appointed C. Melissa Jonas for a four-year term effective August 2, 2010 and ending July 31, 2014.

Motion:      Merkel      Yes:      Hutchinson, Merkel, Olem, Singh,  
Second:      Wolf      Tirrell, Wolf, Mayor DeBenedittis  
Vote:      7-0

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**10-G-95      Resolution, Review & Appointments to the Herndon  
Town Council Subcommittees for the 2010-2012 Term.**

**APPOINTMENTS**

see below

- Re-establishes and appoints members to serve on the following subcommittees for the 2010-2012 term:

→ Interview Committee:

Appointed:

- Councilmember Connie Haines Hutchinson;
- Councilmember Sheila A. Olem; and
- Councilmember Jasbinder Singh.

→ Joint Communications Committee w/Town Council & Planning Commission:

- Councilmember William B. Tirrell, who will serve as Chair;
- Councilmember Jasbinder Singh; and
- Requested staff to contact the Herndon Planning Commission Chair for recommendations of Planning Commissioners to serve on the Joint Communications Committee and to bring forward recommendations for future appointment by Council.

Motion:      Merkel  
Second:      Wolf  
Vote:          7-0

Yes:      Hutchinson, Merkel, Olem, Singh,  
            Tirrell, Wolf, Mayor DeBenedittis

**10-G-96      Resolution, Review and Appointments to the Herndon  
Town Council Advisory Committees for the  
2010-2012 Term.**

**APPOINTMENTS**

see below

- Pedestrian and Bicycle Advisory Committee:

→ Re-established the Pedestrian and Bicycle Advisory Committee;

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→ Appointed:

- Councilmember Sheila A. Olem, who will serve as Chair;
- Commissioner C. Melissa Jonas, who will serve as the Planning Commission representative; and

→ Requested staff to contact current members to see if they desire reappointment and to bring forward recommendations for future appointment by Council, which may expand the composition to seven citizens.

➤ Downtown Master Plan Steering Committee:

→ Requested staff to coordinate a Council presentation for the Downtown Master Plan Steering Committee to express appreciation for the committee's hard work and efforts, resulting in the completion of their task.

➤ Trolley Bus – Study Advisory Committee:

→ Requested staff to coordinate a Council presentation for the Trolley Bus – Study Advisory Committee to express appreciation for the committee's hard work and efforts, resulting in the completion of their task.

Motion:	Hutchinson	Yes:	Hutchinson, Merkel, Olem, Singh,
Second:	Merkel		Tirrell, Wolf, Mayor DeBenedittis
Vote:	7-0		

**10-G-97**

**Resolution, Appointment of Members of the Herndon Town Council to the Coalition on Illegal Aliens through June 30, 2012.**

**FAILED**  
see below

**APPROVE** Resolution 10-G-97 appointing the following members of the Herndon Town Council to serve as Town representatives through June 30, 2012:

- Mayor Steve DeBenedittis; and
- Councilmember Connie Haines Hutchinson.

Motion:	Tirrell	Yes:	Hutchinson, Tirrell, Mayor DeBenedittis
Second:	Mayor DeBenedittis	No:	Merkel, Olem, Singh, Wolf
Vote:	3-4		

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**10-G-98      Resolution, Confirmation of a Member of the Herndon  
Town Council as an Advisory Director on the  
Committee for Dulles Board of Directors through  
June 30, 2012.**

**CONFIRMATION**

see below

➤ Confirmed:

- Councilmember Grace Han Wolf.

Motion:	Merkel	Yes:	Hutchinson, Merkel, Olem, Singh,
Second:	Hutchinson		Tirrell, Wolf, Mayor DeBenedittis
Vote:	7-0		

**10-G-99      Resolution, Appointment of a Member of the Herndon  
Town Council to the Dulles Area Transportation  
Association through June 30, 2012.**

**APPOINTMENT**

see below

➤ Appointed:

- Councilmember Connie Haines Hutchinson.

Motion:	Olem	Yes:	Hutchinson, Merkel, Olem, Singh,
Second:	Wolf		Tirrell, Wolf, Mayor DeBenedittis
Vote:	7-0		

**10-G-100      Resolution, Nomination of a Member of the Herndon  
Town Council to the Fairfax County Economic  
Advisory Commission.**

**NOMINATION**

see below

➤ Nominated:

- Councilmember Grace Han Wolf, to fill an unexpired term ending January 31, 2012.

Motion:	Olem	Yes:	Hutchinson, Merkel, Olem, Singh,
Second:	Hutchinson		Tirrell, Wolf, Mayor DeBenedittis
Vote:	7-0		

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**10-G-101      Resolution, Appointment of Members of the Herndon  
Town Council to the Inter-Jurisdictional Committee  
Through June 30, 2012.**

**APPOINTMENTS**

see below

➤ Re-established and reappointed:

- Mayor Steve DeBenedittis;
- Councilmember Connie Haines Hutchinson;
- Councilmember William B. Tirrell; and
- Vice Mayor Lisa C. Merkel (Alternate).

Motion:	Merkel	Yes:	Hutchinson, Merkel, Olem, Singh,
Second:	Wolf		Tirrell, Wolf, Mayor DeBenedittis
Vote:	7-0		

**10-G-102      Resolution, Appointment of a Member of the Herndon  
Town Council to the Northern Virginia Regional  
Commission through June 30, 2012.**

**APPOINTMENT**

see below

➤ Appointed:

- Mayor Steve DeBenedittis.

Motion:	Merkel	Yes:	Hutchinson, Merkel, Olem, Singh,
Second:	Hutchinson		Tirrell, Wolf
Vote:	6-0	Abstain:	Mayor DeBenedittis

**10-G-103      Resolution, Appointment of a Member of the Herndon  
Town Council to the Northern Virginia Transportation  
Authority's Planning Coordination & Advisory Commission.**

**APPOINTMENT**

see below

➤ Appointed:

- Mayor Steve DeBenedittis, as the Town of Herndon **Principal** member for a one-year term ending June 30, 2011.

Motion:	Hutchinson	Yes:	Hutchinson, Merkel, Olem, Singh,
Second:	Tirrell		Tirrell, Wolf
Vote:	6-0	Abstain:	Mayor DeBenedittis



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**10-G-104      Resolution, Appointment of a Member of the Herndon  
Town Council to the Phase II District Commission  
through June 30, 2012.**

**APPOINTMENT**

see below

➤ Appointed:

- Councilmember Jasbinder Singh.

Motion:	Olem	Yes:	Hutchinson, Merkel, Olem, Singh,
Second:	Hutchinson		Tirrell, Wolf, Mayor DeBenedittis
Vote:	7-0		

**10-G-105      Resolution, Appointment of a Member of the Herndon  
Town Council to the Visitor's Center Board of Directors  
through June 30, 2012.**

**APPOINTMENT**

see below

➤ Appointed:

- Mayor Steve DeBenedittis.

Motion:	Tirrell	Yes:	Hutchinson, Merkel, Olem, Singh,
Second:	Merkel		Tirrell, Wolf
Vote:	6-0	Abstain:	Mayor DeBenedittis